IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 20408 of 2005

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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MONGHIBEN DEVABHAI - Petitioner(s)

Versus

SARPANCHSHRI/ADMINISTRATOR GRAMPANCHAYAT-VADIYA & 3 - Respondent(s)

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Appearance :

MR NC SHAH for Petitioner(s) : 1,MR NV GANDHI for Petitioner(s) : 1,
MR KAMAL M SOJITRA for Respondent(s) : 1 - 3.
MS REETA CHANDARANA, AGP for Respondent(s) : 4,

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 28/02/2006

ORAL JUDGMENT

1.On 21-02-2006, this Court had noted the submissions made by the learned AGP that the pension papers of the petitioner were forwarded and received by the Local Fund, Accounts Office, Amreli on 17-02-2006. This Court had therefore, granted time to ascertain the time within which the pension could have been sanctioned and paid to the petitioner.

2.The learned AGP Ms. Reeta Chandarana appearing today for the Government stated under instructions that necessary papers have been received by the concerned department and same are being processed. Final decision with respect to the pension entitlement to the petitioner, will be taken latest within a period of three months from today.

3.In view of the above statements, this petition is disposed of by directing the respondents to conclude the exercise of ascertaining the pension entitlement of the petitioner within the time stated before this Court. On conclusion of the said exercise, the respondents shall also expeditiously and without any further delay release the pension and arrears found due and payable to the petitioner.

4.In view of the above direction, petition is disposed of at this stage. Rule is made absolute to the above limited extent with no order as to costs.

(Akil Kureshi,J.)

(raghu)